

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DePuy Mitek, Inc.)	
a Massachusetts Corporation)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-12457 PBS
)	
Arthrex, Inc.)	
a Delaware Corporation)	
)	
Defendant.)	
)	

MOTION TO EXTEND TIME FOR FILING RESPONSE TO DEPUY MITEK, INC.'S
MOTION TO PRECLUDE ARTHREX, INC AND PEARSALLS, LTD. FROM
SUPPLEMENTING THEIR EXPERT REPORTS AND DEPOSITIONS

Defendants Arthrex, Inc. ("Arthrex") and Pearsalls, Ltd. ("Pearsalls") (together, "defendants") move to extend the time for filing a response to DePuy Mitek, Inc.'s ("DePuy Mitek's") motion to preclude Arthrex and Pearsalls from supplementing their expert reports and depositions until August 30, 2006. The reasons for defendants' motion are explained in the memorandum being filed herewith.

Dated: August 21, 2006

Respectfully submitted,

By: /s/Salvatore P. Tamburo
Charles W. Saber
Stephen A. Soffen
Salvatore P. Tamburo
DICKSTEIN SHAPIRO LLP
1825 Eye Street, N.W.
Washington, D.C. 20006-5403
Telephone: (202) 420-3116
Facsimile: (202) 420-2201

Christopher Weld, Jr. (BBO # 522230)
Raymond P. Ausrotas (BBO # 640315)
TODD & WELD LLP
28 State Street, 31st Floor
Boston, MA 02109
Telephone: (617) 720-2626
Facsimile: (617) 227-5777

Counsel for Defendants
Arthrex, Inc. and Pearsalls Ltd.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing MOTION TO EXTEND TIME FOR FILING RESPONSE TO DEPUY MITEK, INC.'S MOTION TO PRECLUDE ARTHREX, INC AND PEARSALLS, LTD. FROM SUPPLEMENTING THEIR EXPERT REPORTS AND DEPOSITIONS, Memorandum in support thereof and proposed Order were served, via the Court's email notification system on the following counsel for Plaintiff on the 21st day of August 2006:

Lynn A. Malinoski
Woodcock Washburn, LLP
One Liberty Place, 46th Floor
Philadelphia, PA. 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

Daniel J. Gleason
Nutter McClennan & Fish LLP
World Trade Center West
155 Seaport Boulevard
Boston, MA 02210-2604
Telephone: (617) 439-2000
Facsimile: (617) 310-9000

/s/Salvatore P. Tamburo

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ORDER

Upon consideration of the Motion to Extend Time for Filing Response to DePuy Mitek, Inc.'s Motion to Preclude Arthrex, Inc and Pearsalls, Ltd. From Supplementing Their Expert Reports and Depositions, Memorandum in support thereof and any opposition thereto, it is ORDERED that the motion is GRANTED.

This __ day of August, 2006.

PATTI B. SARIS
UNITED STATES DISTRICT COURT JUDGE